all proposed receive sites, irrespective of distance from the transmitter, are capable of satisfactory reception. For this purpose, it would be necessary to demonstrate that for the particular configuration of the receive site installation, taking into account the specific height of the antenna and the antenna size, a signal strength of no less than -75 dBm (or whatever other value is deemed appropriate) will be achieved at the receiving antenna terminals and that a D/U signal strength ratio of no less than 28 dB will be achieved from other existing and prior filed proposals for frequency offset operation, or 45 dB for nonoffset operation. In other words, a demonstration of feasibility should be imposed on all receive site installations.

This approach, also, would ensure that if a choice must be made between two mutually exclusive applications using the tie-breaker provisions, only the student populations of those schools that actually will be served, will be counted. The procedure outlined will serve to curb the abuse which has occurred when schools have been proposed for receive site installations without regard to viability, but merely to enhance the student population figures in the event the tie-breaker rule is invoked.

The FCC proposes to require the submission of terrain profiles and a quantitative analysis of any additional signal loss to be determined by calculations using the Longley-Rice Propagation Model, Version 1.2.2, in the point-to-point mode. The

suggestion is a good one, but an additional refinement is required so as to avoid the potential for abuse.

The point-to-point version of the Longley-Rice Propagation Model would be appropriate for the determination of signal strength at a given receive site from an undesired station, but equally important is that the site have satisfactory reception from the desired station. If an applicant can demonstrate that a particular site is not adequately served by the desired station then there should be no need to afford protection to that site.

The same approach should be applied to a PSA. If it can be demonstrated that certain segments of a PSA are not adequately served because of excessive attenuation due to intervening terrain obstructions, then there should be no requirement for an applicant to provide protection to that portion of the PSA. Hand in glove with that approach, is the need to specify a minimum value for what constitutes a satisfactory received signal strength. In the PSA context, the FCC has built its 15-mile protection radius rule on the premise of a -75 dBm received signal strength using a reference two-foot parabolic receiving antenna. A site which can be demonstrated on its face not to receive satisfactory service should not have to be afforded protection from a potential undesired facility.

In the same vein, when consideration is given to the protection to be afforded a requested PSA, a more appropriate model to employ than the Longley-Rice Version 1.2.2 would be that described in NTIA Report 82-100 "A Guide to the Use of the ITS Irregular Terrain Model in the Area Prediction Mode." That document was referenced in Footnote 34 of the Order and Further Notice of Proposed Rule Making. However, it is important to note that in the area prediction mode, Hufford, et al, have introduced as part of the statistical model, a reliability and confidence factor and other statistical variables. The results obtained can vary depending on the values employed. Since many of the commercial computer services offering the so-called Technical Note 101 calculations may not use the same defaults for the variable factors, and in many cases overrides are permitted, applicants should be required to include the input parameters used in the calculations so as to permit a disinterested observer to replicate and/or confirm the results, if desired. In the determination of protection afforded to a PSA, a confidence and reliability factor in the order of 50 percent may be appropriate, but a different, higher value, may be more appropriate for the point-to-point calculation to a school receive site. In any event, the input parameters to be employed should be specified in any rule that may be adopted.

An abuse which, in the eyes of RVSI and RVCI, requires corrective attention is that which has occurred in some instances when an applicant for the facility in a

community has close ties with the licensee of a cochannel station in a nearby community. In some cases, proposals have been submitted which really are not viable because of the extent of received interference. However, because of the close relationship between the applicant and the existing licensee, a statement to the effect that the system will be engineered to achieve compatibility has been found to be acceptable. In some instances, such arrangements have served to impede the grant of otherwise viable proposals at other locations by being mutually exclusive with them. If each applicant had to demonstrate receive site viability as set forth earlier, the mentioned abuse would be eliminated.

In summary, RVSI and RVCI recommend that a minimum acceptable received signal strength level be specified, together with a showing of attainment of at least a 28 dB D/U ratio for frequency offset operation for demonstrating receive site viability, and that the rules require studies to be included as part of the initial filing demonstrating that receive sites and PSAs will be adequately served. A 35-mile limit for receive site licensing eligibility should not be imposed.

Bernard R. Segal, P.E.

August 26, 1994

CERTIFICATE OF SERVICE

I, Glena Sumpter, a secretary with the law firm of Joyce & Jacobs, do hereby certify that on this 29th day of August, 1994, copies of the foregoing Comments of RuralVision South, Inc. and RuralVision Central, Inc. were served, via hand delivery, upon the following:

Chairman Reed Hundt
Federal Communications Comm.
Washington, D.C. 20554

Comm'r. James H. Quello
Federal Communications Comm.
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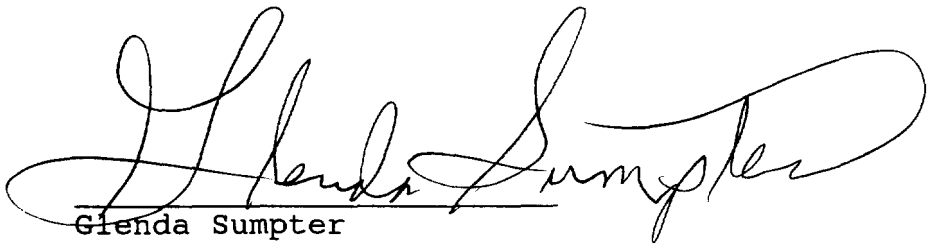

Glenda Sumpter

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